

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

UNITED STATES OF AMERICA

v.

SERGIO RIOS,  
a/k/a Nick, Jose and Sergy

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1:05-cr-264-LSC

**MOTION TO DECREASE DEFENDANT'S OFFENSE LEVEL**  
**PURSUANT TO § 3E1.1(b), UNITED STATES SENTENCING GUIDELINES**  
**(ACCEPTANCE OF RESPONSIBILITY)**

**COMES NOW** the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and files the above-captioned Motion, and as reasons therefore, submits the following:

1. Defendant qualifies for a reduction in Defendant's sentence pursuant to U.S.S.G § 3E1.1(b) as Defendant assisted authorities in the investigation and prosecution of Defendant's own misconduct by timely notifying authorities of Defendant's intention to enter a plea of guilty, thereby permitting the United States to avoid preparing for trial and permitting the Government and this Court to allocate their resources efficiently.

2. Accordingly, pursuant to U.S.S.G § 3E1.1(b), the United States respectfully moves this Court to reduce the Defendant's offense level by one level. Combined with the two-level reduction applied to Defendant's offense level pursuant to U.S.S.G. § 3E1.1(a), a total reduction of three levels should be applied to Defendant's offense level for Defendant's acceptance of responsibility.

Respectfully submitted, this the 26<sup>th</sup> day of June, 2006.

LEURA G. CANARY  
UNITED STATES ATTORNEY

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ASB-1613-N77A

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 26, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Derek Yarbrough, Esquire.

Respectfully submitted,

s/A. Clark Morris  
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